

PTO/SB/31 (08-03)  
Approved for use through 07/31/2006. OMB 0551-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>4-31192A</b>
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on _____  Signature _____  Typed or printed name _____		In re Application of <b>Pippig et al.</b>  Application Number <b>09/715,249</b> Filed <b>11/17/2000</b>  For <b>Selectable Cell Surface Marker Genes</b>  Art Unit <b>1636</b> Examiner <b>Maria Marvich</b>

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

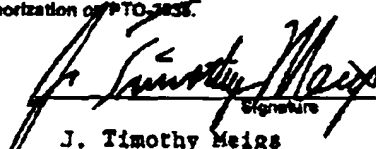
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_  
☐ A check in the amount of the fee is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.  
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 19-0134. I have enclosed a duplicate copy of this sheet.  
☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.  
☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)  
☒ attorney or agent of record. 38,241  
 Registration number \_\_\_\_\_  
☐ attorney or agent acting under 37 CFR 1.34(a).  
 Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

  
 J. Timothy Meigs  
 Typed or printed name  
301-258-4715  
 Telephone number  
11/14/2003  
 Date

**NOTE:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.181. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

11/19/2003 TTABE1 00000001 190134 09715249

PTO/55/17 (10-03)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 1280.00)**Complete if Known**

Application Number	09/715,249
Filing Date	11/17/2000
First Named Inventor	Susanne Pippig
Examiner Name	Maria Marvich
An Unit	1636
Attorney Docket No.	4-31182A

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	19-0134
Deposit Account Name	Novartis Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (1)	Small Entity Fee Code (2)	Fee Description	Fee Paid
1001 770	2001 365	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 365	Release filing fee	
1005 180	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$)</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Large Entity Fee Code (1)	Small Entity Fee Code (2)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 280	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Release independent claims over original patent	
1205 18	2205 9	** Release claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>(\$)</b>

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity - Small Entity

Fee Code (1)	Fee Code (2)	Fee Description	Fee Paid
1051 130	2051 66	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	2812 2,520	For filing a request for ex parte reexamination	
1804 820*	2804 820*	Requesting publication of BRI prior to Examiner action	
1805 1,840*	2805 1,840*	Requesting publication of BRI after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 840	2253 475	Extension for reply within third month	950.00
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	330.00
1402 330	2402 165	Filing a brief in support of an appeal	
1403 280	2403 145	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1801 1,330	2801 665	Utility issue fee (or release)	
1802 480	2802 240	Design issue fee	
1803 840	2803 420	Plant issue fee	
1480 130	2480 130	Petitions to the Commissioner	
1807 50	2807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	2808 180	Submission of Information Disclosure Sheet	
8021 40	28021 40	Recording each patent assignment per property (since number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 800	2802 400	Request for expedited examination of a design application	

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 1280.00)**SUBMITTED BY**

Name (Print/Type) J. Timothy Meigs

Signature *J. Timothy Meigs*

Registration No. 38,241

Date 11/14/2003

**(Complete if applicable)**

Telephone 301-258-4715

Date 11/14/2003

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